C. Remarks

The claims are 74-78, with claim 74 being independent. Claim 74 has been rephrased for clarification. Support for this amendment may be found, *inter alia*, in Examples 5 and 6 and in Fig. 8. No new matter has been added. Reconsideration of the present claims is expressly requested.

Initially, Applicants and their attorneys would like to thank the Examiner for the courtesies extended during a telephonic interview conducted on or about June 13, 2008. During the interview, Applicants discussed some proposed amendments to the claims. The Examiner indicated that these amendments would have to be commensurate in scope with Fig. A provided with the August 14, 2007 Response in order to overcome the rejections of record.

Claims 74, 75, 77, and 78 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,807,522 (Brown). Claims 74-76 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,700,637 (Southern). Claims 74-76 and 78 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,476,215 B1 (Okamoto). Claims 74-76 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,893,816 B2 (Beattie). The grounds of rejection are respectfully traversed.

Prior to addressing the merits of rejection, Applicants would like to briefly discuss some of the features of the presently claimed invention. That invention is related to a method of detecting a complex formed between an oligonucleotide having a known base sequence and an object that is to be identified via hybridization with the probe. Plural

types of oligonucleotides having known base sequences different from one another are fixed in square sections on a detection substrate. At least two test samples are then spotted in each section. Specifically, a predetermined liquid amount of each of the two test samples is spotted in each section at individual, separate spots in such a manner that individual spots within each section are sufficiently spaced apart from each other to conduct a complex-forming reaction between the oligonucleotide and the object component at each spot. This is schematically demonstrated in Fig. A, which was provided with the Response filed August 14, 2007.

Brown discloses a testing procedure that is different from the presently claimed method. Specifically, Brown teaches loading a hybridization solution onto the substrate. This is schematically demonstrated in Fig. B provided with the August 14, 2007 Response.

The Examiner alleged during the aforementioned interview that while step (ii) in claim 74 requires spotting, this spotting encompasses the liquid drop in Brown, i.e., a liquid droplet covering an entire section can constitute a spot. To further clarify that the present invention is different from a liquid droplet covering the entire section as disclosed in Brown, claim 74 has been amended to more specifically state that a predetermined liquid amount of each of the two test samples is spotted in each section in separate, individual spots that are sufficiently spaced from each other within each section. Dropping a solution over an entire section as taught in Brown would not create individual, separate spots within that section as claimed, much less spots from more than one test sample. Clearly, Brown cannot affect the patentability of the presently claimed invention.

Southern is directed to an apparatus and method for analyzing a polynucleic sequence. Souther teaches laying down the matrix using low-cost ink-jet technology (col. 6, lines 31-55). Then, a test sample is supplied for hybridization. This is schematically demonstrated in Fig. C provided with the August 14, 2007 Response. However, like Brown, Southern fails to disclose or suggest spotting each of the two test samples in each section in separate, individual spots that are sufficiently spaced from each other within each section. Thus, Southern also cannot affect the patentability of the presently claimed invention.

The newly cited references, Okamoto and Beattie, teach washing the substrate that has probes attached thereto with a hybridization solution. Applicants respectfully submit that these references do not disclose or suggest individual spotting of multiple test samples in each section to create individual, spaced apart spots within a section.

The Examiner mentioned during the telephonic interview that the claims, if amended to correspond to Fig. A provided with the August 14, 2007 Response, would read on Northern blotting. Applicants respectfully disagree.

Northern blotting is a method that comprises separating different length RNAs by gel electrophoresis, transferring the RNA bands formed in the gel onto a nylon membrane, and hybridizing the RNAs adsorbed on the nylon membrane with a labeled probe (typically, a specific single-stranded DNA), to thereby detect a specific RNA. Typically, in Northern blotting, neither a matrix of sections each uniformly fixing one type

of oligonucleotide is used, nor each of such sections is spotted with multiple test samples, as depicted in Fig. A.

In sum, it is clear that neither of the cited references, whether considered separately or in combination, discloses or suggests all of the presently claimed elements.

Wherefore, withdrawal of the outstanding rejections and expedient passage of the application to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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